

JOURNAL OF THE HOUSE.

Monday, March 12, 2007.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer. God, Our Creator, we offer this prayer of thanksgiving to You for our daily blessings. We also focus our thoughts and attention on You, spiritual values, Your ways and commandments as we address the issues of this day. Your assistance helps us to comprehend more clearly and to make more readily reasoned choices and decisions. In our struggle with today's legislative and personal responsibilities, inspire us to remain faithful and loyal to our high ideals and personal goals. May our vision and hopes for the future remain a reality on our busy daily agenda.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of allegiance. At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Al Johnson. Resolutions (filed by Ms. Kaprielian of Watertown) honoring Al "Carnival Time" Johnson;

Karen H. Leese. Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) congratulating Karen H. Leese on receiving the Harriet F. Siegel Shining Light Award;

Mastrangelo/Whelan. Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) congratulating the employees of Mastrangelo/Whelan on receiving the Harriet F. Siegel Shining Light Award;

Middlesex Savings Bank. Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) congratulating the employees of the Middlesex Savings Bank on receiving the Harriet F. Siegel Shining Light Award;

Paula M. Polk. Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) congratulating Paula M. Polk on receiving the Harriet Siegel Educator Shining Light Award; and

Kurt M. Siegmann. Resolutions (filed by Mr. Ross of Wrentham) congratulating Kurt M. Siegmann of Norfolk upon his elevation to the rank of Eagle Scout;

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Peterson of Grafton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Paper from the Senate.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to an inspection of the Berkshire County Jail and House of Correction, in the city of Pittsfield, was spread upon the records of the House; and returned to the Senate.

Berkshire County Jail, inspection.

Reports of Committees.

By Mr. Dempsey of Haverhill, for the committee on Telecommunications, Utilities and Energy, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3317) of Bradley H. Jones, Jr., and others for legislation to promote the development of renewable energy and the use of alternative fuel in the Commonwealth,— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the discharge of the committee.

Renewable energy.

By Mr. Flynn of Bridgewater, for the committee on Bonding, Capital Expenditures and State Assets, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 27) of Colleen M. Garry relative to the sale of alcoholic beverages when Christmas occurs on a Sunday;

Alcoholic beverage sales.

Of the petition (accompanied by bill, House, No. 28) of Colleen M. Garry relative to the sale of alcoholic beverages on Thanksgiving Day; and

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Of the petition (accompanied by bill, House, No. 46) of David M. Nangle relative to the advertising of alcoholic beverages on Massachusetts Bay Transportation Authority property;

MBTA, liquor advertising.

And recommending that the same severally be referred to the committee on Consumer Protection and Professional Licensure;

Of the petition (accompanied by bill, House, No. 39) of William Lantigua relative to the date for holding state primaries,— and recommending that the same be referred to the committee on Election Laws;

State primaries.

Of the petition (accompanied by bill, House, No. 31) of Bradley H. Jones, Jr., and others relative to municipal relief; and

Municipal relief.

Of the petition (accompanied by bill, House, No. 38) of Stephen Kulik and others amending the micropurchasing threshold under chapter 149;

Micropurchasing.

And recommending that the same severally be referred to the committee on Financial Services;

Of the petition (accompanied by bill, House, No. 16) of Demetrius J. Atsalis relative to tort and contract actions; and

Tort and contract, actions.

Of the petition (accompanied by bill, House, No. 52) of George N. Peterson, Jr. relative to state agency compensation for owners of private property taken by eminent domain for regulatory purposes;

Private property owners, regulatory restrictions.

And recommending that the same severally be referred to the committee on the Judiciary;

Of the petition (accompanied by bill, House, No. 17) of Bruce J. Ayers relative to the disposition of surplus motor vehicles owned by the Commonwealth,— and recommending that the same be referred to the committee on Municipalities and Regional Government;

Surplus motor vehicles.

Prescription

drugs.

Of the petition (accompanied by bill, House, No. 66) of Steven M. Walsh and others relative to safeguarding and monitoring prescription drugs,—and recommending that the same be referred to the committee on Public Health;

Janice
Brown,
sick leave.

Of the petition (accompanied by bill, House, No. 44) of Elizabeth A. Malia and others for legislation to establish a sick leave bank for Janice Brown, an employee of the Appellate Tax Board; and

Law
enforcement
memorial
fund.

Of the petition (accompanied by bill, House, No. 63) of Walter F. Timilty and others relative to establishing the Massachusetts law enforcement memorial fund;

And recommending that the same severally be referred to the committee on Public Service;

Energy,
sustainable
building
design.

Of the petition (accompanied by bill, House, No. 51) of Douglas W. Petersen and others relative to creating the division of sustainable building design in the Executive Office of Environmental Affairs and Energy,—and recommending that the same be referred to the committee on State Administration and Regulatory Oversight;

Alternative
fuel.

Of the petition (accompanied by bill, House, No. 32) of Bradley H. Jones, Jr., and others relative to alternative fuel usage; and

Ethanol 85
gas
pumps.

Of the petition (accompanied by bill, House, No. 35) of Louis L. Kafka and others for an investigation and study relative to ethanol and the feasibility of assisting gas station owners in the installation of ethanol “85” gasoline pumps;

And recommending that the same severally be referred to the committee on Telecommunications, Utilities and Energy;

By Ms. Coakley-Rivera of Springfield, for the committee on Children, Families and Persons with Disabilities, asking to be discharged from further consideration

Telemarketing,
fraud.

Of the petition (accompanied by bill, House, No. 79) of Bruce J. Ayers for legislation to protect consumers from telemarketing fraud,—and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure;

MCAS,
assessment.

Of the petition (accompanied by bill, House, No. 139) of Frank I. Smizik and Michael J. Moran that the Board of Education be authorized to provide multiple forms of assessments in determining the level of competency under the Massachusetts Comprehensive Assessment System (MCAS) for students in the Commonwealth,—and recommending that the same be referred to the committee on Education;

Banking,
statements.

Of the petition (accompanied by bill, House, No. 80) of Bruce J. Ayers that banking and lending institutions be required to issue certain information on monthly statements to mortgage loan customers,—and recommending that the same be referred to the committee on Financial Services;

Police officers,
false reports.

Of the petition (accompanied by bill, House, No. 75) of Bruce J. Ayers for legislation to establish penalties for the filing of false reports against police officers;

Animals,
maiming.

Of the petition (accompanied by bill, House, No. 77) of Bruce J. Ayers and James R. Miceli relative to the penalty for killing, maiming or poisoning of animals;

Police officers,
resisting.

Of the petition (accompanied by bill, House, No. 78) of Bruce J. Ayers for legislation to establish the crime of resisting or obstructing public safety personnel in the performance of their duties;

Children,
domestic

Of the petition (accompanied by bill, House, No. 102) of Bradley H. Jones, Jr., and others relative to protecting children from domestic violence;

violence.

Of the petition (accompanied by bill, House, No. 115) of Stephen P. LeDuc and others for legislation to require background checks for persons working with children and certain disabled persons; and

Children and
disabled,
protection.

Of the petition (accompanied by bill, House, No. 144) of Martin J. Walsh, Thomas Sannicandro and others relative to national criminal offender record information checks for person working with individuals served by the Department of Mental Retardation;

National
CORI
checks.

And recommending that the same severally be referred to the committee on the Judiciary;

Of the petition (accompanied by bill, House, No. 76) of Bruce J. Ayers relative to safety precautions for user of automatic teller machines,—and recommending that the same be referred to the committee on Public Safety and Homeland Security;

Automatic
teller
machines.

By Mr. Bradley of Hingham, for the committee on Election Laws, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 630) of Bruce J. Ayers relative to the funding of waterway projects and coastal protection initiatives,—and recommending that the same be referred to the committee on Environment, Natural Resources and Agriculture;

Waterways
projects,
revolving
fund.

Of the petition (accompanied by bill, House, No. 629) of Bruce J. Ayers and Michael W. Morrissey for legislation to establish an emergency equipment grant program for fire fighters; and

Firefighters,
emergency
equipment
grant.
Reserve
police,
vests.

Of the petition (accompanied by bill, House, No. 697) of Tom Sannicandro that auxiliary, reserve and part-time police officers be eligible for reimbursement grants for the purchase of bullet proof vests;

And recommending that the same severally be referred to the committee on Public Safety and Homeland Security;

Disabled,
temporarily
placards.

Of the petition (accompanied by bill, House, No. 631) of Bruce J. Ayers that cities and towns be authorized to issue temporary placards for handicapped parking spaces,—and recommending that the same be referred to the committee on Transportation;

Abstinence
education.

By Mr. Murphy of Lowell, for the committee on Higher Education, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1172) of Ruth B. Balser and others for legislation to prohibit public agencies from applying for federal grants for abstinence education,—and recommending that the same be referred to the committee on Public Health;

Employee
compensation.

By Mr. Kaufman of Lexington, for the committee on Public Service, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2714) of Michael J. Rodrigues and others for legislation to clarify the law protecting employee compensation,—and recommending that the same be referred to the committee on Labor and Workforce Development;

By Mr. Binienda of Worcester, for the committee on Revenue, asking to be discharged from further consideration

Quincy
and Milton,
land.

Of the petition (accompanied by bill, House, No. 2839) of Bruce J. Ayers for legislation to authorize the Department of Highways to acquire certain land in the city of Quincy and the town of Milton for flood control and prevention purposes,—and recommending that the same be referred to the committee on the Judiciary; and

Port
Authority

Board.

Of the petition (accompanied by bill, House, No. 2981) of Jay R. Kaufman and others relative to the Board of Directors of the Port Authority,— and recommending that the same be referred to the committee on Transportation;

Federal
manufacturers
excise tax.

By Mr. Dempsey of Haverhill, for the committee on Telecommunications, Utilities and Energy, asking to be discharged from further consideration

School
buses,
safety.

Of the petition (accompanied by bill, House, No. 3324) of Paul Kujawski relative to the timing of reimbursement for federal manufacturers excise tax,— and recommending that the same be referred to the committee on Revenue; and

Of the petition (accompanied by order, House, No. 3378) of Louanne Fucci for legislation to regulate the movement of motor vehicles after students have alighted from or boarded school buses,— and recommending that the same be referred to the committee on Transportation.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

Bill
re-enacted.

Engrossed Bill.

The engrossed Bill authorizing the town of Wellesley to establish a group insurance liability fund (see House, No. 2015, amended) (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Third
reading
bills.

House bills

Releasing a nondevelopment covenant restriction on certain land located in the town of Leicester (House, No. 19, amended) (its title having been changed by the committee on Bills in the Third Reading); and

Designating a certain pier in the town of Winthrop as the Charles J. Famolare Pier (House, No. 1931) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Order.

Next
sitting.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

At eight minutes after eleven o'clock A.M., on motion of Mr. Smizik of Brookline (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.